

# PLANNING COMMISSION MEETING

## A G E N D A

TOWN OF CHINCOTEAGUE

November 28, 2006 - 7:00 P.M. – Council Chambers - Town Hall

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

AGENDA ADOPTION:

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1. Public Participation

2. Public Hearing

Section 2.96 be amended by adding the following paragraphs to the definition of **Main Use**:

*A dock, including a boat lift(s), used in conjunction with the main use of a lot or structure, which is in compliance with all applicable County, State, and Federal regulatory and statutory provisions and permitted by all required agencies, is a secondary, incidental or accessory use or structure.*

*Only open-sided shelter roof structures designed to shelter single boat slips and boat lifts, and gazebo-type structures are permitted by right. Such structures shall not exceed a combined total of 400 square feet and can be constructed and/or maintained on any dock, pier, or dock or pier platform in all zoning districts. Such structures shall not exceed 12 feet in height and have a roof pitch not to exceed 2:12.*

*A structure erected on a lot, the specific location of which is not subject to the jurisdiction of the Accomack County Wetlands Board, the Virginia Marine Resource Commission, and/or the United States Army Corps of Engineers, and used in conjunction with the main use of a lot or permitted building is a secondary, incidental or accessory use or structure.*

**Proposed By-Laws  
Chincoteague Planning Commission  
September 28, 2004**

**ARTICLE 1 – OBJECTIVES**

- 1-1. This Commission, established in conformance with the resolution adopted by the Chincoteague Town Council \_\_\_\_\_, 2004, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2 of the Code of Virginia.
- 1-2. The official title of this Commission shall be “The Chincoteague Planning Commission”.

**ARTICLE 2 – MEMBERS**

- 2-1. Said commission shall consist of seven (7) members, one of whom shall be a member of the Town Council, and the remaining six (6) hereafter referred to as appointed members. Such members shall be residents of the locality and be a minimum of 50% owner of real property.
- 2-2. The term of the council person shall in all cases correspond to their tenure of office. Of the other members first appointed, one (1) shall be appointed for a term of one (1) year, one (1) shall be appointed for a term of two (2) years, one (1) shall be appointed for a term of three (3) years, and one (1) shall be appointed for a term of four (4) years, from and after the effective date of this resolution. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by an appointment by the Council and such appointment, in the case of an appointed member, shall be for the unexpired term. Any appointed member may be removed by the Council for inefficiency, neglect of duty or malfeasance in office, provided that such removal may be made only after a public hearing at which said member is given an opportunity to appear and be heard on the charges against him.
- 2-3. The term of a Commission member shall expire on December 31 at which meeting his successor’s term of office shall begin.

**ARTICLE 3 – OFFICERS AND THEIR SELECTION**

- 3-1. The officers of the Planning Commission shall consist of a Chairperson, a Vice-

Chairperson and a Secretary.

- 3-2. Nomination of officers shall be made from the floor at the regular September meeting each year. Election of officers shall follow immediately.
- 3-3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. Such candidate shall take office immediately and serve for one (1) year or until his/her successor shall take office.
- 3-4. Vacancies in office shall be filled immediately by regular election procedures.

## ARTICLE 4 – DUTIES OF OFFICERS

- 4-1 The Chairperson shall be a member of the Commission and shall:
  - 4-1-2 Preside at all meetings.
  - 4-1-3 Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present.)
  - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.
  - 4-1-5. Carry out other duties as assigned by the Commission.
- 4-2. The Vice-Chairperson shall be a member of the Commission and shall:
  - 4-2-1. Act in the absence or inability of the Chairperson to act.
  - 4-2-2. Have power to function in the same capacity as the Chairperson in cases of the Chairperson's inability to act.
- 4-3. The Secretary shall:
  - 4-3-1. Keep a written record of all business transacted by the Commission.
  - 4-3-2. Notify all members of all meetings.
  - 4-3-3. Keep a file of all official records and reports of the Commission.
  - 4-3-4. Certify all maps, records, and reports of the Commission.
  - 4-3-5. Give notice of all hearings and public meetings.
  - 4-3-6. Attend to the correspondence of the Commission.

- 4-3-7. Prepare and be responsible for the publishing of advertisements relating to public hearings.

## ARTICLE 5 – DUTIES OF OFFICERS

- 5-1 At such times that the complexity of duties facing the Commission shall require the advice of standing committees, the following shall be appointed by the Chairperson to serve as needed:
- 5-1-1. A Comprehensive Plan Committee. It shall coordinate the work of the other committees as it progresses and relate it to the overall program and keep the comprehensive plan developing in a realistic and reasonable manner.
- 5-1-2. A Land Use Committee. It shall initially determine, and then continue to maintain an inventory of land uses. This committee shall also be responsible for the preparation of land use maps.
- 5-1-3. A Subdivision Committee. This committee should draft subdivision regulations and any subsequent amendments. They shall examine all applications for major subdivisions, receive the reviews of the staff pertaining to them, and make recommendations to the Commission.
- 5-1-4. A Zoning Committee. This committee should draft zoning ordinances and/or any subsequent amendments. They shall review all applications for rezoning or special use permits. When authorized by law, they shall hold public hearings, receive the views of the staff pertaining to the issue, and make recommendations to the Commission.
- 5-1-5. A Street, Traffic and Parking Committee. They shall study the location, relocation, opening, closing or widening of streets, alleys, right-of-ways and limited access thoroughfares as well as control and expediting of traffic and provision for adequate parking. This committee shall initiate pertinent action and make recommendations to the Commission. Public and private hearings may also be conducted.
- 5-1-6. A Capital Improvements Committee. They shall study the economics of capital improvements as it relates to the use of land to be made by the Town. This may be done independently or in conjunction with affected governmental agencies. Such study shall include need, priority of need, cost financing, joint use and participation, location, and relative status either within or without the views of the staff relative to the issues and make any recommendation deemed pertinent to the Commission are further duties of the committee.
- 5-2. Special committees may be appointed by the Chairperson for purposes and terms approved by the Commission.
- 5-3. The Chairperson shall be an ex officio member of every committee.

## ARTICLE 6 – MEETINGS

- 6-1. Regular meetings of the Commission shall be held on the fourth Tuesday of each month at 7:00 p.m. excluding the months of July and December. When a meeting falls on a legal holiday, the meeting shall be on the day following unless otherwise designated by the Commission. Such meetings must be held in a public building.
- 6-2. Special meetings shall be called at the request of the Chairperson or at the request of a quorum of the membership.
- 6-3. All regular meetings, hearings, records, and accounts shall be open to the public.
- 6-4. A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of the entire membership. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.

## ARTICLE 7 – ORDER OF BUSINESS

- 7-1. The order of business for a regular meeting shall be:
  - 7-1-1. Call to order by Chairperson.
  - 7-1-2. Roll call.
  - 7-1-3. Determination of a quorum.
  - 7-1-4. Pledge of allegiance.
  - 7-1-5. Reading of the minutes.
  - 7-1-6. Review of agenda.
  - 7-1-7. Old business.
  - 7-1-8. New business.
  - 7-1-9. Adjournment.
- 7-2. Parliamentary procedure in Commission meetings shall be governed by Roberts's Rules of Order, Revised.
- 7-3. The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

The Chairperson shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy.

## ARTICLE 8 – HEARINGS

- 8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 8-2. Notice of special hearings shall be published once a week for two successive weeks in a newspaper of general circulation in the area not less than five (5), nor more than twenty-one (21) days before the time of public hearing.
- 8-3. The case before the Commission shall be summarized by the Chairperson or other member delegated by the Chairperson. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to as evidence for any court of law, only after notice is given to the interested parties.
- 8-4. A record shall be kept of those speaking before the hearing.

## ARTICLE 9 – CORRESPONDENCE

- 9-1. It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.
- 9-2. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairperson and Vice-Chairperson.

## ARTICLE 10 – AMENDMENTS

- 10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership of the Commission subject to approval from the Town Council after thirty (30) days notice.

4. Redman & Johnson: Draft Comprehensive Plan

ADJOURN: